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BEFORE THE
DEPARTMENT OF TRANSPORTATION
WASHINGTON, D. C.

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In the matter of

Petition for Interpretation of
Computer Reservations
System (CRS) Regulations

Docket No. OST-99-5888 - 2

ANSWER OF WORLDSPAN, L.P.
TO PETITION OF AMADEUS GLOBAL TRAVEL DISTRIBUTION, S.A.

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July 6, 1999

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DEPARTMENT OF TRANSPORTATION
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**Petition for Interpretation of
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Dated: July 6, 1999

**ANSWER OF WORLDSPAN, L.P.
TO PETITION OF AMADEUS GLOBAL TRAVEL DISTRIBUTION, S.A.**

WORLDSPAN, L.P. (WORLDSPAN) submits this answer to the petition of AMADEUS Global Travel Distribution, S.A. (Amadeus) for an interpretation of Part 255 or, in the alternative, for a rulemaking to revise Part 255 “so as to clearly prohibit” the practice of tying the availability of corporate discount fares to the use of a CRS owned by an airline that is offering the fares.

As WORLDSPAN has told the Department on multiple prior occasions,¹ WORLDSPAN is opposed to efforts to abandon the comprehensive analysis of CRS-related issues that is embodied in the Advance Notice of Proposed Rulemaking in Docket No. OST-97-288 1. The

¹ See Comments of WORLDSPAN, Docket No. OST-99-5 132 (Mar. 12, 1999); Motion of WORLDSPAN for Leave to File and Answer to Emergency Petition of Association of Retail Travel Agents at 1, Docket No. OST-98-4775 (Dec. 9, 1998); Motion of WORLDSPAN for Leave to File and Answer to Motion of America West Airlines, Inc. at 1, Docket No. OST-97-2881 (May 20, 1998).

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ANPRM itself makes quite clear that the CRS regulations balance a variety of complex relationships among CRS's, carriers, travel agents and the public. The relevant issues are interdependent and should be addressed comprehensively, not on a piecemeal basis.

The issue raised by Amadeus does not, in WORLDSPAN's view, require separate or expedited action by the Department. Inherent in Amadeus's petition is the fundamental question of whether Part 255 should be amended to extend the coverage of the CRS rules to corporate travel departments. Indeed, the Department's Advance Notice of Proposed Rulemaking asked whether the mandatory participation rule (section 255.7) "should be extended to include matters like access to corporate discount fares?"² If the Department determines that the issue raised by AMADEUS warrants action of any sort, therefore, the Department should only approach such action in the context of a broad, comprehensive proposal that addresses all outstanding issues.

With regard to the merits of Amadeus's request, WORLDSPAN does not believe Part 255 can reasonably be interpreted to cover the practice that Amadeus complains of. Part 255, by its terms, does not apply to corporate travel departments. When the CRS rules were promulgated in 1984, the Civil Aeronautics Board expressly rejected suggestions that Part 255 should be expanded to include systems used by "Business Travel Departments" and stated, "we will not expand the scope of our rules to include the systems used by SATOs, CATOs or BTDs... . We believe that corporations are generally capable of protecting their own interests."³ As stated

² 62 Fed. Reg. 47606, 47610 (Sept. 10, 1997).

³ Final Rule at 23, 24 (Aug. 16, 1984).

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above, any potential departure from this status quo should be considered and approached, if at all, only in the context of a comprehensive rulemaking proposal.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Answer was served on counsel for AMADEUS Global Travel Distribution, S.A., by first class mail, postage pre-paid, at the addresses stated on the Petition of Amadeus Global Travel Distribution, S.A. for Interpretation of CRS Rules, this 6th day of July, 1999.



David Heffernan